



Townsend Council Meeting Minutes July 19, 2017

7:00 pm – Council Meeting

- I. Call to Order: 7:00 pm (CM Hatton called the meeting to order while waiting for Mayor Sutton to arrive who was tied up in traffic).
- II. Opening Ceremonies
 - a. Roll Call: Mayor Rudy Sutton (7:07 pm), CM Jermaine Hatton, CW Lorraine Gorman, CW Cindy Cook, CM Steve High, TA Fred Townsend, TE June Andres, TM Dawson Green, FC Dawn Lobozzo, TC Cathy Beaver
 - b. Pledge of Allegiance: Pledge was said.
 - c. Recognition of Visitors: 6
 - d. Announcements: none
- III. Additions/Deletions to Published Agenda:
 - a. CM High motioned, CW Gorman seconded with unanimous vote to accept the agenda as written.
- IV. Council Minutes
 - a. Approval of 6/7/17 Council minutes
 - b. Approval of 6/21/17 Workshop minutes
 - c. Approval of 7/5/17 Council minutes
 - CW Gorman motioned, CM High seconded with unanimous vote to approve the minutes as written.
- V. Mayors Report
 - a. Mayor Sutton thanked CM Hatton for opening the meeting for him and apologized for being late.
 - b. Mayor Sutton introduced Madison Cook who won the Townsend Scholarship and asked her to come up for some pictures.
 - c. CM High asked where the check was, it should be part of the picture.
 - d. Pictures were taken with Madison and Council.
 - e. CM High asked again if there was a check and CW Cook stated it is mailed directly to the school.
 - f. CM High said there are 2 signatures on the check, should give it to Madison and teach her responsibility. She is going to college and spending your money.
 - g. Discussion/possible vote to pay \$9,000 for a more enhanced traffic study for Mr. Willis re: Royal Farms
 - Mayor Sutton said this traffic study and request for the Town to pay \$9,000 toward the study was discussed at the last meeting and he is sure Council has all thought about the request; he then asked for a motion.
 - CM High asked for what? He said this was an idea floated and Council hasn't even had time to discuss it amongst ourselves and we are already voting.
 - Mayor Sutton said it was presented at the last meeting and he did reach out to CM High for discussion on the topic.
 - CM High sa
 - id Mayor Sutton never got back to him. He added, we float an idea and then we vote on it with no further discussion to discuss the pros and cons. What exactly are we voting on?
 - Mayor Sutton asked CM High.....
 - CM High interrupted and stated he has already asked a question.
 - Mayor Sutton said you asked me what my take was on this topic and you couldn't answer the question so you asked me the same question.
 - CM High said correct.
 - Mayor Sutton asked if that is what CM High wants to know or does he have a take on this issue.
 - CM High said he doesn't have enough information to dedicate spending \$9,000 of the Town's money at a request.

- Mayor Sutton stated in that case, CM High needs to seek the information from Mr. Willis.
- CM High said that information needs to be brought to Council, for Council to decide. He said he should not, as a lone wolf go out and seek information from Mr. Willis to try and find out what this Council wants to vote on.
- CW Gorman said this Council is all in this together.
- CM High said that is the whole point. Everyone needs to be informed. He shouldn't be the one to go and ask questions for more detail as to what benefits, pros and cons, that this will bring forward.
- Mayor Sutton and CW Gorman stated that was asked at the last Council meeting.
- Mayor Sutton said if CM High doesn't feel comfortable...
- CM High said to not try and step into his shoes and think what I think or am thinking; you can speak on your behalf.
- Mayor Sutton said he is giving CM High time to speak on his behalf and believes CM High is basically saying he doesn't know enough about what he is asking.
- CM High said that is not what he said. He said we don't, as a collective body, do not have enough information to take a vote for a \$9,000 expenditure of taxpayer dollars at this time.
- Mayor Sutton said you don't; CM High said we don't.
- CW Gorman said it is possible, but the agenda says discussion/possible vote, so we have discussed it in an open forum and we may decide to vote or not to vote.
- CM High asked if Mr. Willis, the individual who brought this up is here.
- Mayor Sutton said he isn't present today.
- CM High asked who would refine the information with him not here.
- Mayor Sutton said it is open for discussion and has been on the agenda (CM High said for 3 days) and we have had the information since the last meeting so we can have a discussion and vote on it once Council is comfortable. That's the purpose of this meeting.
- CM High repeated "once Council is comfortable" and Mayor Sutton said CM High is part of Council.
- CM High said correct. Just do what you have to do because right now it doesn't make any sense, we don't have enough information.
- Mayor Sutton said there are 5 Council members here (CM High said correct), 4 can vote, I can only vote if there is a tie (CM High said we know this). If 3 members of Council are ready to make a vote and you aren't ready to make a vote, that is worth you discussing with Council and it could be put on the next meeting agenda for a vote if we need more information.
- CM High said let's go with it.
- TM Green asked what the motion is.
- CM Hatton said no motion was made.
- Mayor Sutton also said a motion wasn't made.
- CM High asked if it was just to have a discussion. You can't have a vote without discussion.
- CM Hatton said he believes what happened is Mayor called for a motion before we had any discussion. We should have had discussion first, before calling for a motion.
- CM High said that is exactly his point.
- TA Townsend said it is a matter of point of order. You can proceed in that fashion, have discussion and then call for a motion to vote, or you can call for a motion, get a second and then have your discussion prior to the vote. It is whatever Council is comfortable with.
- TM Green said he believes a motion was made and then CM High said what are we going to be discussing.
- It was ascertained that no motion was made.
- TA Townsend stated this is like an exercise in Council conduct. If you get to an agenda item and it is discussed but doesn't need a motion, you simply move onto the next agenda item. The Mayor doesn't decide what the motion is, he asks for the motion, if no one responds, you move onto the next agenda item. Typically, you do introduce an item with a little bit of background before making a motion.
- CM High said right, you don't just throw something out there.
- TA Townsend said you can throw it out there.

- Mayor Sutton asked CM High not to act like this hasn't been talked about.
- CM High said it was mentioned at the last meeting. That's all.
- Mr. Emsley asked if we are speaking of the last Council meeting.
- Mayor Sutton said yes.
- Mr. Emsley said the only discussion was by the person who wants the money.
- Mayor Sutton said yes, however, in between meetings there is time for Council to have discussions.
- Mr. Emsley said the taxpayers have the right to hear it. Council discussed it; we have a right to hear it.
- Mayor Sutton said basically once a motion is set before us, there is time set aside for discussion before an actual vote. There was discussion coming, Steve just butted in...
- CM High said excuse me three times and then said language please.
- Mayor Sutton said he was sorry, CM High butted in on the motion (CM High interrupted and said butted in).
- Mr. Emsley asked if Council is looking for a motion to spend or not spend the \$9,000.
- Mayor Sutton said Mr. Willis is asking for Council to pay \$9,000 toward the study, Council has to decide what they want to do and motion, I as Mayor can't make that decision.
- Mr. Emsley said he hopes Council won't do this.
- CM High suggested it be discussed before a motion is made.
- Ms. Albert suggested we start over.
- Mr. Mueller said he missed the last 2 meetings and doesn't know what the discussion entailed, he is going by what he read in the Transcript last week. Sounds like, from what I'm hearing tonight is it was mentioned this is what Mr. Willis is looking for and then there would be a discussion. Maybe protocol for these meetings should be on the agenda as it is written. Discussion/possible vote is on the agenda, should discuss first and if no one makes a motion it gets postponed for another meeting. Believe it was more the grammatical way it was put, the first thing I heard was you ask for a motion and I wondered where the discussion was.
- CW Gorman said she believes we have to put forth possible vote on the agenda if there is a chance we will vote on it, and then discuss before the vote.
- Mr. Mueller said Mayor Sutton started out asking for a motion rather than explaining and I didn't think there was going to be any discussion.
- Mayor Sutton said that is a great point, but from my time on Council, this body of Council with the exception of CM High has been operating like this. When Council has to reflect on something, this is the way we have moved into it. Again, this is a great point, we have to make room for discussion, and doing it either way we will come to the same conclusion, just do it in totally different ways. For the residents in the audience, I do feel you deserve to understand there is time for discussion. Thank you, Mr. Mueller for the point; that is another way I could have gone about it. Just from this discussion, I see that Council may not be comfortable with putting forth a motion.
- CW Gorman said she is prepared to make a motion and motioned that Council does not pay the \$9,000 for the enhanced traffic study for the bank of Mr. Willis and Royal Farms.
- CW Cook seconded the motion.
- Mayor Sutton asked for discussion.
- CM Hatton said we don't need a motion to not pay it.
- CM High said right, that's in the negative.
- CW Gorman said Mr. Willis asked us if the Town would pay it and we have to make a motion.
- CM High said the motion should be to pay and from that you can derive whether or not you want to pay.
- CW Gorman said OK, she doesn't want to pay, however it needs to be worded.
- CM High said she is making the motion; she needs to word it right.
- CW Gorman asked if we are going to be picking at little things.
- CM High said it is grammatical thing.
- CW Gorman asked TA Townsend to tell her how to phrase it correctly.

- TA Townsend said you aren't going to make a motion to approve the expenditure if you don't support it. You could say for the sake of argument that you motion to support it. If you don't have a motion, theoretically you can't have a discussion. It is style, not substance, it is fine to ask for a motion first and then have a discussion after the motion is seconded. It is also fine to have the discussion first and make a motion.
- CM Hatton said he prefers to have the discussion first, and then motion.
- CW Cook said since she has been on Council, the procedure has always been we motion first, and then have the discussion prior to voting. That has been the protocol that has been followed the 3 years I have been on Council and it can go either way.
- TA Townsend said correct, and if you don't get a motion, it just dies.
- CW Gorman said she isn't against Royal Farms in any way; she doesn't believe we should help a developer and show preference for a project even though it is an enhanced study; believes Mr. Willis should ask the other businesses in Town and future developers to help. Don't believe this would be a good investment for the Town.
- CW Cook agreed, doesn't believe this study should fall on the Town to pay a portion. DelDot did a study of the intersection a short while ago and we all know there is a consistent problem at the corner. If they want an enhanced study, they need to pursue it and pay for it and that could be worked out in their negotiations.
- CM Hatton said you are missing the point. The previous study done on the corner was completely different. Mixing apples and oranges. This traffic study is strictly for a traffic count, has nothing to do with the level of services needed at the corner. This is what I believe you guys are missing; what he is proposing is a private – public partnership. If he develops that corner, the intersection will be upgraded. The only way the corner will ever be upgraded is if he develops the corner. DelDot will do true services and take 15-20 feet of the property on both sides when the existing building is torn down and would then be able to enhance the intersection like was done at Dollar General. They can't take the land as long as the building is standing. Here's where the traffic study is very important to the Town. We have commercial property there; we have commercial property on the other side of Town. For us to get to the point where someone may want to come to Town, we have other potential commercial land within Town; with him (Mr. Willis) wanting to have the traffic study and pay the lion's share of it, it may encourage other commercial developers to come to Town. As far as residential developers, they could care less about traffic counts; it only matters to commercial developers. To ask the developer of the Carter Farm to help will do him no good. All municipal governments, city governments, state governments and federal governments have private-public partnerships, they happen all the time. Mr. Willis is trying to help us enhance the Town. We need to have a fruitful discussion about this; it isn't fair to shoot it down without looking at the full body and breadth of it. These are the questions that need to be asked: 1) what is the enhanced traffic study going to produce and do we get a copy of the documents. 2) How long is the study good for? 3) When will the study be done? Those are the questions we need to ask before we make a decision; we need to know what is being presented.
- CM High stated we also need to know what we can do with the study once it's done; if it is limited in nature then we would be limiting ourselves. Need to find out what other type of commercial things can or can't happen so if anyone asks us, we can answer them intelligently. Need to dig deeper into this to get the full depth of what this study could do for us.
- CW Gorman said we should get our master plan together first; we don't really have any commercial properties to speak of. Why would we devote money to this to develop commercial properties when we really don't have any to speak of?
- CW Cook asked if this should go before the planning commission.
- CM Hatton said no, not for a vote on spending money.
- Mr. Mueller said Royal Farms requires 20,000 cars per day. He added he's retired and up and down the road 3-4 times a day and even at rush hour there aren't that many cars. If you get 10-12,000 I would be surprised.
- Mayor Sutton said the last study showed 18,000.
- Mr. Mueller said at the public hearing with DelDot on "Safe Streets to School" the DelDot woman said the entire intersection there needs redesigned and she said she has no idea when

they will get around to it. With the state in the position it is in now financially, who knows when it will happen. Personally, not sure I want a gas station/convenience store there with the additional traffic it will create. Believe it would cause more problems since all 4 corners won't be fixed. He added that the strip mall in front of TVII didn't have enough traffic; therefore a church is being built there. We have other issues in Town that need addressed over this. I try to do the speed limit on Wiggins Mill Road and have people pass me on a double yellow line all the time.

- CM Hatton explained that DelDot won't actually do the intersection, DelDot will move the right of way and what they have in the intersection; the developer will fix the intersection. The only way to enhance the intersection is to grab land and they can't take it now, it would be inside the existing building. When they did Dollar General; those enhancements were DelDot required and they would do the same thing on this corner; there will be DelDot requirements.
- TM Green explained the level of service based on the amount of traffic going through the intersection; including traffic lights and how vehicles enter an intersection. There will be 2 different studies. He added he knows a T2 engineer at UofD that he has called to see if he will help with the traffic study. Waiting to hear back from him.
- CM Hatton stated Mr. Willis has talked to Royal Farms but won't necessarily sell to them. He knows when the building comes down that DelDot will take some land. Royal Farms happens to be the one who requested a traffic study and have shown interest. It is a shame he had to put the name of the entity looking at the property out there because it has created more unnecessary discussion than we need to have. He may sell it to someone else or rebuild the car dealership. Again, as soon as he does anything to it, the intersection will be enhanced and DelDot will take some land.
- Ms. Albert said when he bought the property at sale he knew the issues and that he would lose some of the land. We had a similar incident in the past when a company bought land and were promised the zoning would be changed for them. Want to use that as a parallel. My big concern with the Town paying for any developers, traffic studies or counts is this: Does the Code of Ethics or Conflict of Interest or Code of Conduct come in here anywhere.
- Mayor Sutton said that is a good question and would be significant on Council; however, I don't think there will be a vote on this tonight.
- Ms. Albert said this should be part of the decision and the other part is this came up last September and has caused many issues; the owner now chose to talk to the newspaper last week and people are really talking and upset about it.
- CM High asked TA Townsend if Council can table the motion so Council can get more information and it can be discussed at a further date and was told yes.
- CM High motioned, CM Hatton seconded with unanimous vote to table the motion to enable Council to get more information for further discussion.

VI. Reports

a. Town Attorney Fred Townsend III:

- TA Townsend apologized to Council and the residents. He said he has been overwhelmed with another one of his clients and hasn't had any time to spend on other clients issues.
- Did start to review the rental ordinance, very well written and will contact CW Gorman with his comments as soon as he is done with the review which will be soon.
- CM Hatton asked for an update on the Grassbusters litigation.
- TA Townsend said it is stalled from the other side. We have delivered everything required. There was a false statement that the Town agreed to set litigation aside which wasn't true. Don't know when their report is due but should be soon. We think they will ask for an extension. The discovery process should start soon.
- CM Hatton asked TA Townsend if the firm has transitioned the case to Mr. Chambers from Mr. Primos.
- TA Townsend said no, it was transitioned to me and will be transitioned to Mr. Chambers.

b. Town Engineers Aquilino Andres Jr.:

- TVII West – spoke to developer re: the trees and sink hole in the open space. Told him we don't want a repeat of what happened in TVI when the residents weren't notified about the trees being planted.

- The developer knows he has to put speed limit signs up and sent him a concept on where they need to be.
 - Received an email with the punch list for TVII West and will walk it next week.
 - Solar panels on Delmarva poles – Delmarva finally got back to me. We can't attach anything to their poles and they have no programs for solar.
 - Mayor Sutton verified TE Andres talked to Sapperstein about the punch list and asked TA Andres to include him in all future discussions and emails.
 - Mr. Mueller said the developer fixed the curbs, driveways and roads in TVI, every place they fixed the concrete is a different color. Looks ridiculous, like a patchwork throughout. On Edgar Road a resident had an apron repaired and a sidewalk section fixed and they are different colors. Going forward, is there a way the contractors could use the same formula in the new concrete as the old concrete so it looks the same.
 - CM Sutton said the color differs from concrete plants and asked TM Green if there is anything in the plans that they have to use certain concrete companies.
 - TM Green said no.
 - Mayor Sutton said with all the repairs there will be differences. Don't know if they make any effort to match the existing concrete; will bring it up with the developer. Many use whatever concrete company with the best price at the time.
 - Ms. Lane said she lives in TVII West. When we had the severe, heavy rains last week I couldn't get home from work. Wiggins Mill Road and Railroad Avenue were impassable due to flooding. Is there anything that can be done about this?
 - TM Green said this was an unusual rain fall. This really isn't a Town issue as both those roads are DelDot roads however; DelDot is looking into making repairs on the one lane bridge on Railroad Avenue to make it wider with more water flow which should alleviate the flooding issue.
 - Ms. Lane asked if she has to call DelDot since TM Green said it isn't a Town issue and TM Green said he will call them.
 - Mayor Sutton said we do need more stormwater management in place but that was a lot of rain and pray we don't have it again. I have lived here since 2006 and never seen that much water here. Not sure how DelDot will respond to prevent it from happening again but will look into it and get back to you.
 - CM High added that he will contact DEMA; this would be an emergency situation when you can't get home due to all the roads flooded to get to your development. The more agencies involved the better.
 - CW Gorman asked TM Green if this issue was covered in the emergency preparedness class he took.
 - TM Green said no, the ponds all functioned as they should but we had so much rain, it all ran off and flooded.
 - Mayor Sutton added the bridge on Railroad Avenue is in the design phase right now.
- c. Town Manager Dawson Green:
- The stop sign was installed at the entrance to TVI.
 - Sapperstein paid his invoices.
 - A sink hole developed in TVII East near 106 Esch Street and is between the sidewalk and street. Not sure how deep it is; it is 6 feet deep right now. Something is going on with the stormwater drain. Austin and Bednash are going to check it and fix it for us. We have cones around in now; putting a plate over it tomorrow. All the utilities have been marked today. Don't want to see a child get hurt.

VII. Committee Reports

a. Finance: Chair – CM Jermaine Hatton

- The reconciliation backlog is done up to June and should be done next week.
- The information should all be sent to Debbie Horn by August for the FY2017 audit.
- We will then decide if the temp in the office can be let go.
- Kicked off FY18 from a budget issue, no problems, spending same as we are bringing in.
- Ms. Albert had some questions about the budget as follows:

- I.** Under Professional fees-knows this covers RVB but does it cover code inspections also. TM Green said no.
- II.** She asked if legal covers TA Townsend's fees and was told yes. She asked if Grassbuster litigation is a legal fee and was told yes.
- III.** IPA services – is this contract or what services are we looking to get from IPA?
- IV.** TM Green said part of it is services like printing maps and some is classes. When we do certain things with the comp plan we have to use their services.
- V.** Ms. Albert asked if the training classes further down are the same and CM Hatton said all classes are together.
- VI.** Ms. Albert asked if the planning commission can contact IPA with any questions they may have.
- VII.** CM Hatton said it depends on the questions because we may be able to answer them in house.
- VIII.** Ms. Albert asked what happens if you can't answer the questions.
- IX.** CM Hatton said to give the questions to TM Green and he will coordinate with IPA.
- X.** Ms. Albert said sometimes we ask questions and 3 weeks later....
- XI.** CM Hatton said right, but we don't want everyone on the planning commission calling IPA every time they have a question. Need to coordinate with TM Green first.
- XII.** Ms. Albert said OK but everyone on the commission wouldn't be calling IPA.
- XIII.** Mayor Sutton said he over rules that. This needs to be a discussion between TM Green and the PC Chair. The chair should be able to contact IPA if needed, TM Green is often busy and the PC shouldn't have to wait on a response. This makes perfect sense.
- XIV.** Ms. Albert stated they would always contact TM Green first to get as much information as possible, as they do now, however, he isn't available for their meetings and is busy during work hours; that's why I asked if this is contract which could enable Troy (PC Chair) to contact Linda Raab (IPA) and could he be added to the contact list. Does the IPA contract state that TM Green is the only contact person.
- XV.** TM Green said he is the contact person. Don't know how IPA feels about this. More than likely, they only have one contact person per contract.
- XVI.** Ms. Albert said she appreciates what Mayor Sutton said; feeling lots of frustration.
- XVII.** Mayor Sutton said this is the first PC we have had.
- XVIII.** CW Cook asked if we could add Chair Troy to the contact list. It would save everyone time.
- XIX.** TM Green said the last contact he had from the planning commission was from PC Rojas. Answered her email right away but don't know if she got it, was never acknowledged.
- XX.** Ms. Albert said they got the email, but not always can an email be done. When I come in with questions that we need answers too, you are usually too busy to talk to me. Am very happy took all the classes, learned a lot. If I hadn't taken the classes I would be here all the time with questions wasting all our time.
- XXI.** Mayor Sutton asked TM Green to call IPA and add Troy Geiger, chair of the Planning Commission as a contact. They then won't have to rely on you for answers and believe it could be critical in a time of need. We already made it clear they must first ask you the question before proceeding but it will enable them to do their job as well.
- XXII.** CM High recommended that any questions the PC asks of TM Green or the Planning Commission be documented and sent to Council so we are all on the same page. We all need to know what everyone else is doing.
- XXIII.** Ms. Albert stated that is why Sheryl sent the email. Next question: I see nothing budgeted for streetlights/street repair/snow removal – do we not budget anything for snow removal.
- XXIV.** CM Hatton said no, it doesn't come out of our general operating budget, it comes out of MSA.

- XXV.** Ms. Albert – payroll: why the \$8,000 jump.
- XXVI.** CM Hatton said it is to cover if we decide to hire another person.
- XXVII.** Ms. Albert verified streetlights are currently paid from MSA funds and CM Hatton said yes. She added that per the audit, some of the MSA funds were carried over from previous years when we had limited snow fall. She asked if the carry over goes into grants.
- XXVIII.** CM Hatton said it sits in a separate account, an MSA account and we have to report it to the state. This won't show on any of these documents.
- XXIX.** Ms. Albert asked if this money could be used and CM Hatton said there are state laws stating what it can be used for, very limited use.
- XXX.** CW Cook asked if there is a list all could see showing what MSA funds can be used for. CM Hatton said it is online through the state website under MSA.
- XXXI.** Ms. Albert asked what the allowance of uncollectable taxes is based on collection trends and experience.
- XXXII.** CM Hatton said this is based on history trends for uncollectable funds.
- XXXIII.** Ms. Albert said historical collection means there was uncollected debt. In the 1/29/14 minutes under audit review the Town had a bad debt allowance of \$100,000.00.
- XXXIV.** CM Hatton said that debt was here before any of us were here. It was from the time when Council charged exorbitant late fees on trash; was terrible and the numbers remained on the books. In 2014 we changed the ordinance to start fixing this problem.
- XXXV.** CM High added there is a big difference in the debt now compared to the years of 2014-2016.
- XXXVI.** CM Hatton said our debt is now down to \$50,000.
- XXXVII.** Ms. Albert asked who the 3 vendors are with no names that excess money was spent on per the audit.
- XXXVIII.** CM Hatton said one is RVB and the others, based on the audit year are the contractors that did the work on this Town Hall.
- XXXIX.** Ms. Albert asked per the FY2016 audit, was the \$40,945 a correction of errors or was it written off.
- XL.** CM Hatton stated it was a correction of errors. That individual that used to be here and set the system up, set it up wrong and that is what we have been fixing to date.
- XLI.** Ms. Albert asked what years the \$100,000 debt was written off.
- XLII.** CM Hatton said it has never been written off. Some of the houses have been sold and we get our money with the sale.
- XLIII.** Ms. Albert: franchise fees – know Verizon pays franchise fees, are there any others that pay these.
- XLIV.** TM Green said we only have franchise agreements with Verizon and Atlantic Broadband.
- XLV.** CM Hatton said they pay quarterly fees based on calendar year so numbers will never match because we go by fiscal year.
- XLVI.** Ms. Albert asked if we could collect franchise fees from Artesian and Chesapeake.
- XLVII.** CM Hatton said they are talking to Chesapeake, nothing from Artesian.
- XLVIII.** Ms. Albert said the annual budget is required 30 days after the start of the fiscal year; think it would be nice if the residents could see it before Debbie comes so we could ask questions. Then we wouldn't have to go through this in the future.

b. Public Works: Chair – Mayor Rudy Sutton

- Introduction of Ordinance No. 17-04 – Streetlight Fees
 - I.** Mayor Sutton introduced Ordinance No. 17-04. If approved, this ordinance will establish a streetlight fee paid by all residents and property owners within the Town limits.
 - II.** Would like to have a public hearing on Wednesday, August 2, 2017 at 7:00 pm and have Council consider and possibly approve the ordinance in the following Council meeting at 7:30 pm.

- A long discussion ensued. Ms. Smith asked if she should call the EPA, the water is black and slimy, runs constantly, burps, stinks, killed all our grass and we can't let the children play out there.
- TA Townsend said this isn't a conservation district issue.
- CM Hatton said he lives down the street, need a storm drain installed.
- Mayor Sutton stated if the neighbor's sump pump is discharging on your property, it is against our Town codes; no matter what the neighbor says, the developer didn't do this, the Town needs to address this issue.

g. Parks & Recreation: Chair – CW Lorraine Gorman

- Discussion/Vote on 2-year contract with Arrow Sanitation – porta-pot for park
 - I. CW Gorman said Council already discussed changing to a different company to supply the porta-pot for the park. There is nothing wrong with the company we use but they are located in Milford. Arrow Sanitation is closer and offered us a better price for the monthly rental.
 - II. CW Gorman motioned, CW Cook seconded to sign a 2-year contract with Arrow Sanitation to supply our porta-pot for the park.
 - III. In the following discussion, CM Hatton asked if we can get out of the contract if Arrow doesn't hold up their end of the contract.
 - IV. CW Gorman stated she will have that added to the contract.
 - V. CM High asked if they will give us extra ones for the fair free.
 - VI. CW Gorman said we pay for them but will not be as much.
 - VII. Mr. Muellar said there are times when you can't get the door open or closed on the one at the park. He also asked what determines when they get pumped.
 - VIII. CW Gorman said they pump and clean the porta-pot once a week. This company will charge \$25.00 for extra cleanings.
 - IX. Vote – unanimous.
- Movie Night Under the Stars – “Big Friendly Giant” - Friday, August 18, 2017 (rain date August 19, 2017)
 - I. The movie will start around 8:30 pm.
 - II. Face Painting Frenzy will be there at 7:00 pm and Candy Connections will be selling refreshments.
- Town Fair – Saturday, September 23, 2017
- CW Cook asked if CW Gorman was aware of the smashed trash can at the park and CW Gorman said yes, George will replace it with an extra one we have.

VIII. Citizens Comments & Participation - none

IX. Motion to Recess for Executive Session – 9:07 pm, CW Gorman motioned, CM High seconded with unanimous vote.

X. Motion to Convene Executive Session

- a. In accordance to 29 Del. C. §10004 (b) (9) the Town Council will be meeting in executive session to discuss personnel matters

XI. Motion to close Executive Session & Re-Convene Mid-Month Meeting

XII. Adjournment: